

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

BLITZSAFE TEXAS, LLC,

*Plaintiff,*

v.

ROBERT BOSCH GMBH,

*Defendant.*

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Case No. 2:17-CV-00105-JRG-RSP

**ORDER**

The above entitled and numbered civil action was referred to United States Magistrate Judge Roy S. Payne pursuant to 28 U.S.C. § 636. Now before the Court is the Report & Recommendation [Dkt. No. 44] by Magistrate Judge Payne, which recommends that Defendant Robert Bosch GmbH's Motion to Dismiss [Dkt. No. 12] be denied without prejudice to filing a renewed motion in light of Plaintiff Blitzsafe Texas, LLC's amended complaint [Dkt. No. 38]. No party has objected to the Report & Recommendation.

Having reviewed Magistrate Judge Payne's report, Defendant's motion and reply [Dkt. No. 32], and Plaintiff's response [Dkt. No. 19] and sur-reply [Dkt. No. 36], the Court concludes Magistrate Judge Payne's Report & Recommendation [Dkt. No. 44] is correct. The Report & Recommendation [Dkt. No. 44] is hereby **ADOPTED**. Accordingly, Defendant's Motion to Dismiss [Dkt. No. 12] is **DENIED** without prejudice to filing a renewed motion in light of the amended complaint.

**So ORDERED and SIGNED this 7th day of February, 2019.**

  
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RODNEY GILSTRAP  
UNITED STATES DISTRICT JUDGE